

REMARKS

This is a full and timely response to the non-final Office Action mailed on December 28, 2005. In the foregoing amendments, claims 74, 75, 88, 93, 98, 99, 104, and 105 have been amended. Also, claims 100 and 101 have been canceled without prejudice or disclaimer. The subject matter of claim 100 has been incorporated into independent claim 99. Other amendments to the claims have been made merely to correct minor grammatical errors and to provide greater readability. Claims 71, 72, 74, 75, 87-99, and 102-110 are now pending in the present application. Reconsideration and allowance of the present application and currently pending claims are respectfully requested.

Response to Claim Rejection Under 35 U.S.C. § 103

Claims 71, 72, 74, 75, 87-92, 99-102, 104-107, and 109 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Legall et al.* (U.S. Patent No. 6,005,565) in view of *Ellis et al.* (U.S. Patent Application Publication No. 2005/0283810). Also, claims 93-98 and 103 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Legall et al.* in view of *Ellis et al.*, and further in view of *Koshimuta* (U.S. Patent No. 6,515,710). Claims 108 and 110 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Legall et al.* in view of *Ellis et al.*, and further in view of *Sahai et al.* (U.S. Patent No. 6,594,699). Applicants respectfully traverse these rejections on the grounds that the cited references fail to teach or suggest every feature of the claims, as discussed below.

A. Claims 71, 72, 74, and 75

Independent claim 71 is reproduced below:

71. A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:

receiving by a tuner in the STT media information corresponding to a plurality of respective media programs;

storing the media information in memory in the STT;

providing to the user a search option to search the media information stored in the memory of the STT for media programs with a start time in a user-selected time period and

matching a search term, wherein the search option further includes at least one search criterion based on whether a media program is a recorded media program residing in the STT; and

responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information comprising information corresponding to media programs with respective start times in the user-selected time period and matching the search term, wherein the search term is different than the start time in the user-selected time period, ***wherein the portion of the media information output by the STT to the television further identifies at least one media program as a recorded media program residing in the STT.***

(Emphasis added)

Applicants contend that *Legall et al.* and *Ellis et al.*, taken alone or in combination, fail to disclose the above-highlighted features of claim 71. For example, claim 71 recites ***providing to the user a search option to search the media information stored in the memory of the STT for media programs with a start time in a user-selected time period and matching a search term.***

The Office Action seems to suggest that *Legall et al.* discloses this feature of the claim.

However, Applicants disagree. In contrast to claim 71, *Legall et al.* actually discloses search parameters regarding program start time 351 and program length 352 (col. 3, lines 41-42) and does not particularly define these parameters. Arguably, the system of *Legall et al.* is capable of searching based on either the start time or the length of a program. The system of *Legall et al.*, however, does not provide a search option to search for programs ***with a start time in a user-selected time period***, as claimed. *Legall et al.* merely allows searching based on start time only, not a start time in a user-selected time period.

Furthermore, claim 71 recites outputting media information ***corresponding to media programs with respective start times in the user-selected time period and matching the search term.*** *Legall et al.* does not teach or suggest outputting media information corresponding to programs ***with start times in the user-selected time period.*** Also, *Ellis et al.* appears to be silent with respect to user-selected time periods and therefore fails to overcome the above-noted deficiencies of *Legall et al.*

Claim 71 further recites that *the portion of the media information output by the STT to the television further identifies at least one media program as a recorded media program residing in the STT*. The Office Action acknowledges that *Legall et al.* fails to explicitly disclose this feature of the claim, and relies instead on the teachings of *Ellis et al.* in this respect. However, *Ellis et al.* also fails to teach or suggest this feature, as discussed herein. Claim 71 recites storing the media information in *memory in the STT*, media information stored in the *memory of the STT*, and *recorded media program residing in the STT*. In contrast, *Ellis et al.* discloses that the remote media server 24, not the STT, records programs and associated program guide data on storage 15 in response to record requests generated by the program guide implemented on interactive program guide equipment 17 (paragraph 0084). It is this information of *Ellis et al.*, stored at the remote server, which is displayed as the recorded programs on the screens of FIG. 18. The programs recorded by digital storage device 31 are digitally written on a storage device (paragraph 0101), but these recorded programs are not output to the television by the STT, as claimed in claim 71.

For at least these reasons, it is believed that claim 71 is allowable over the combination of *Legall et al.* and *Ellis et al.* Also, claims 72, 74, and 75 are believed to be allowable for at least the reason that they depend from allowable independent claim 71.

B. Claims 87-92

Independent claim 87 is reproduced below:

87. A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:

receiving by a tuner in the STT media information corresponding to a plurality of types of television services, said media information comprising a plurality of media programs corresponding to each type of television service in said plurality of types of television services;

storing in a first memory in the STT the media information;

outputting to a television by the STT a first presentation comprising an option to select a time period from a plurality of time periods;

receiving a first user input corresponding to a user-selected time period from the plurality of time periods; and

responsive to receiving the first user input:

outputting to the television by the STT a second presentation comprising a portion of the media information stored in the first memory, said portion of media information corresponding to a plurality of media programs in the user-selected time period; and

providing to the user a search option to search the media information stored in the first memory for media programs based on the user-selected time period, wherein the search option includes a search criteria based on whether a first type of television service in the plurality of types of television services is available to the user as a purchasable event.

(Emphasis added)

Applicants contend that *Legall et al.* and *Ellis et al.*, taken alone or in combination, fail to disclose the above-highlighted features of claim 87. For example, claim 87 recites *outputting to a television by the STT a first presentation comprising an option to select a time period from a plurality of time periods and receiving a first user input corresponding to a user-selected time period from the plurality of time periods*. The Office Action seems to suggest that *Legall et al.* discloses this feature of the claim. Applicants assert, however, that *Legall et al.* fails to teach or suggest an option to select a time period from a plurality of time periods. Instead, *Legall et al.* appears to disclose search parameters regarding program start time 351 and program length 352 (col. 3, lines 41-42), but does not disclose an option to select a *time period* and receiving an input corresponding to a *user-selected time period*, as claimed.

Furthermore, claim 87 recites *providing to the user a search option to search the media information stored in the first memory for media programs based on the user-selected time period*. *Legall et al.* does not teach or suggest providing an option to search for programs based on the *user-selected time period*. Also, *Ellis et al.* appears to be silent with respect to user-selected time periods and therefore fails to overcome the above-noted deficiencies of *Legall et al.*

For at least these reasons, it is believed that claim 87 is allowable over the combination of *Legall et al.* and *Ellis et al.* Also, claims 88-92 are believed to be allowable for at least the reason that they depend from allowable independent claim 87.

C. Claims 93-98

Independent claim 93 is reproduced below:

93. A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:

receiving by a tuner in the STT media information corresponding to a plurality of respective media programs;

storing in memory in the STT the media information;

providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on video quality of media programs; and

responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information corresponding to at least one media program that satisfies the at least one search criterion, wherein said portion of the media information includes an identification of the respective media quality of the at least one media program.

(Emphasis added)

The combination of references including *Legall et al.*, *Ellis et al.*, and *Koshimuta* fail to teach or suggest the above-highlighted features of claim 93. The Office Action acknowledges that *Legall et al.* and *Ellis et al.* fail to explicitly teach search criterion based on video quality of the media programs and identification of the respective media quality of at least one media program, as claimed. The Office Action seems to rely on the *Koshimuta* reference with regard to these features. However, Applicants disagree with the interpretation of *Koshimuta* and submit that *Koshimuta* fails to teach or suggest a *search criterion based on video quality of media programs*, as claimed. Although *Koshimuta* may mention HDTV, SDTV, NTSC, etc., the reference is silent concerning an option to search for programs that satisfy a *search criterion based on video quality of media programs*.

Also, *Koshimuta* is directed to a color conversion circuit of a television receiver, which is not related to the field of STTs and searching for programs. Therefore, even assuming for the sake of argument that the reference includes the features as the Office Action suggests, this

reference could not be combined with *Legall et al.* and *Ellis et al.* as suggested since Koshimuta does not contribute features in the field of *Legall et al.* and *Ellis et al.* regarding STTs. Therefore, Applicant contend that the cited references fail to suggest a motivation to combine the references and that the references might only be combined using impermissible hindsight of the present application.

D. Claims 99 and 102-104

Independent claim 99 is reproduced below:

99. A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:

receiving by a tuner in the STT media information corresponding to a plurality of types of television services, said media information comprising a plurality of media programs corresponding to each type of television service in said plurality of types of television services;

storing in memory in the STT the media information;

providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on types of television services; and

responsive to the user activating the search option, *outputting to the television by the STT a portion of the media information stored in the memory*, said portion of the media information corresponding to at least one media program that satisfies the at least one search criterion, *wherein said portion of the media information includes an identification of the respective type of television service providing the at least one media program*;

wherein the identification of the respective type of television service providing the at least one media program identifies a video-on-demand service providing the at least one media program.

(Emphasis added)

Legall et al. and *Ellis et al.*, taken alone or in combination, fail to teach or suggest the above-highlighted features of claim 99. The Office Action states that *Legall et al.* fails to explicitly teach that the search option includes an "option to search the media information stored

in the memory of the STT for media programs that satisfy at least one search criterion based on types of TV services". However, the Office Action seems to rely on *Ellis et al.* with respect to this feature. Applicants contend that the menu screen (FIG. 10) of *Ellis et al.* fails to teach that *the identification of the respective type of television service providing the at least one media program identifies a video-on-demand service providing the at least one media program*, as claimed. For at least this reason, it is believed that claim 99 is allowable over the cited references. Also, claims 102-104 are believed to be allowable for at least the reason that they depend from allowable independent claim 99.

E. Claims 105-110

Independent claim 105 is reproduced below:

105. A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:

storing in memory in the STT media information corresponding to a plurality of respective media programs;

providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion; and

outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information corresponding to at least one media program that satisfies the at least one search criterion, *wherein said portion of the media information includes entitlement information corresponding to the at least one media program.*

(Emphasis added)

Legall et al., *Ellis et al.*, and *Sahai et al.*, taken alone or in combination, fail to teach or suggest the above highlighted features of claim 105. The Office Action seems to suggest that *Ellis et al.* discloses outputting a portion of media information, which includes entitlement information corresponding to at least one media program. The Office Action also seems to suggest that entitlement information is related to recording features. Applicants disagree with this interpretation of *Ellis et al.* Applicants assert that *Ellis et al.* fails to teach entitlement information and fails to suggest that entitlement information is related to recording features.

For at least this reason, it is believed that claim 105 is allowable over the combination of *Legall et al.* and *Ellis et al.* Also, it is believed that *Sahai et al.* fails to overcome the deficiencies of *Legall et al.* and *Ellis et al.* Claim 106-110 are likewise believed to be allowable for at least the reason that they depend from allowable independent claim 105.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well-known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

Applicants respectfully maintain that the currently pending claims are in condition for allowance. Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned attorney at (770) 933-9500.

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